



Customer No. 22,852
Attorney Docket No. 02887.0257

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Akira HAMAGUCHI *et al.*)
) Group Art Unit: 2623
Serial No.: 10/687,828)
) Examiner: Not Assigned
Filed: October 20, 2003)
)
For: METHOD AND APPARATUS)
FOR DETERMINING DEFECT)
DETECTION SENSITIVITY)
DATA, CONTROL METHOD)
OF DEFECT DETECTION)
APPARATUS, AND METHOD)
AND APPARATUS FOR)
DETECTING DEFECT OF)
SEMICONDUCTOR DEVICES)

**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§1.56 and 1.97(b), applicants bring to the Examiner's attention the documents listed on attached Form PTO-1449. Copies of the listed documents are attached. Applicants respectfully request that the Examiner consider the documents listed on attached Form PTO-1449 and indicate that they were considered by making an appropriate notation on this form.

This Information Disclosure Statement is being filed prior to receipt of a first Office Action on the merits.

The following is a concise statement of relevance for each of the non-English language documents cited on the enclosed Form PTO-1449.

1) Japanese Patent Application No. 2003-59991 - This document discloses a method which uses the statistic of the difference between some images. An English-language abstract is also enclosed.

2) Japanese Patent Application No. 2001-337047 - This document discloses a wafer with programmed defects. An English-language abstract of the document is enclosed.

3) Japanese Patent Application No. 2002-267615 - This document discloses a method which uses the statistic of the thresholds. An English-language abstract of the document is enclosed.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents. Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please
charge the fee to our Deposit Account No. 06-0916.

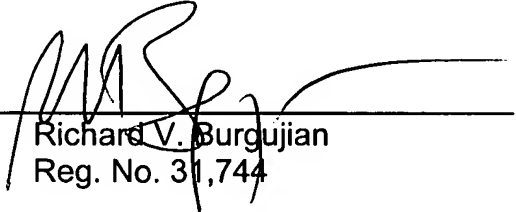
Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: April ~~14~~, 2004

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By: _____


Richard V. Burgujian
Reg. No. 31,744



INFORMATION DISCLOSURE CITATION

Atty. Document No. 10/687.0257	Application No. 10/687,828
Applicant Akira HAMAGUCHI <i>et al.</i>	
Filing Date October 20, 2003	Group: 2623

U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate

FOREIGN PATENT DOCUMENTS

Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
2003-59991	2/28/03	Japan			Abstract
2001-337047	12/7/01	Japan			Abstract
2002-267615	9/18/02	Japan			Abstract

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

Examiner	Date Considered
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce